

AN ACT relating to family member visitation rights.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

□SECTION 1. KRS 405.021 IS REPEALED AND REENACTED TO READ AS FOLLOWS:

(1) As used in this section, "family member" means a grandparent, great-grandparent, aunt, or uncle.

(2) The Circuit Court may grant reasonable visitation rights to a family member of a child if the court determines by a preponderance of the evidence that it is in the best interest of the child to do so. In determining the child's best interest, the court shall consider all relevant factors, including:

(a) The nature and stability of the relationship between the child and the family member seeking visitation;

(b) The amount of time the family member and child had spent together;

(c) The potential detriments and benefits to the child from granting visitation;

(d) The effect granting visitation would have on the child's relationship with the child's parents;

(e) The physical and emotional health of all the adults involved, parents and family members alike;

(f) The stability of the child's living and schooling arrangements;

(g) The wishes and preferences of the child; and

(h) The motivation of the adults participating in the proceeding.